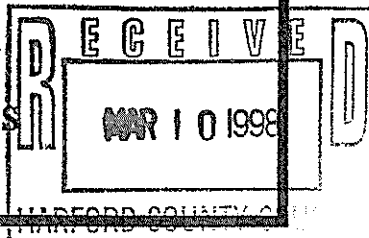


# ZONING RECLASSIFICATION APPLICATION

## Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only



Case No. 085 (Parcel 30)  
Date Filed 3-3-98  
Hearing Date \_\_\_\_\_  
Pre-Conf. \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$ 1730.

### Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

### Petitioner

Name Morning Brook, LLC Phone Number \_\_\_\_\_

Address P.O. Box 470 Fallston, Maryland 21047  
Street Number Street State Zip Code

Property Owner See above. Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street State Zip Code

Contract Purchaser \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch, Esq. & Lawrence F. Kreis, Jr., Esq. Stark and Keenan, P.A. Phone Number (410) 838-5522/879-2222

Address 30 Office Street Bel Air, Maryland 21014  
Street Number Street State Zip Code

Hearing: 6/1/98

## Land Description

Address and Location of Property (with nearest intersecting road) Rt 165

Subdivision N/A Lot Number        Acreage/Lot Size 122.2 Election District 04  
Existing Zoning AG Proposed Zoning RR Acreage to be Rezoned 122.2  
Tax Map No. 39 Grid No. 1D Parcel 38 Deed Reference         
Critical Area Designation N/A Land Use Plan Designation Rural Residential  
Present Use and ALL improvements: Vacant.

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.  
Example: Conventional, Conventional with Open Space, Planned Residential Development) Rural Residential

Is the property designated a historic site, or does the property contain any designated or registered historic structures?  
No If yes, describe:       

Estimated Time Requested to Present Case: Three (3) hours.

## Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

MORNING BROOK, LLC  
PARCEL NO.: 38

(b) (1) The Applicant maintains that there is a mistake as to the existing AG zoning. The subject property as shown on the 1996 Land Use Element Plan and Land Use Map is designated "Rural Residential". (See attachment (b) (1) Land Use Map & Key). The property has frontage on Morse Road, which connects to Md. Rt. 165 which is an arterial road. The current AG zoning is not consistent with the Master Plan, and given the major residential development that has occurred since 1989, the Agricultural character of the neighborhood has changed. At the time of the 1989 Comprehensive Rezoning, Harford County failed to zone the property to a Rural Residential classification that would be consistent with the Master Plan and the neighborhood.

(2) Since the last Comprehensive Rezoning in 1989, there have been numerous changes in the neighborhood. Since 1989, the Morning Brook subdivision has been constructed on lands immediately adjacent to the subject property. Extensive residential development has also occurred primarily to the North, West and South of the subject site.

(c) The proposed reclassification of the property to an RR zoning classification use is consistent with the 1996 Land Use Element Plan and Land Use Map (See attachment (b) (1)).

(d)

(1) See attachment (d) (1).

(2) The rezoning of this property to Rural Residential would result in the development of a Rural Residential Development

of single family homes similar to what has already been constructed in the neighborhood.

(3) Neighborhood: The neighborhood is defined as the area bordered by Rt. 152 to the West; Charles Street and the West Branch of Winters Run to the South; High Point Road to the East and Jarrettsville Road to the North. (See attachment (d)(3)).

(4) See attachment (d)(3).

(5) There are not Capital Improvement projects identified in the FY1997-1998 C.I.P. for this area.

(e) Rezoning in the neighborhood: None.

(f) See attachment (d)(1).

(g) See attachment (d)(g)

(h) None

(i) None

(j) Private water and private septic system

## Comprehensive Zoning Log

Issue #	Date	C.P.C.	Tax ID #	Map #	Grid	Parcel #	Property owner	Property location	Acres of parcel	Acres to rezone	CZ	RZ	PAB	P-Z	C.C.
B033	10-11-96	JJ	01050451	652A		780	John & Barbara Jones	NS Rt. 7 E of Faber Rd.	1.31	1.31	R1	CI	LI	LI	LI
B034	10-11-96	JJ	01050443	652A		832	John & Barbara Jones	608 Old Philadelphia Rd Joppa	1.18	1.18	R1	CI	LI	LI	LI
B035	10-11-96	JJ	01020943	652A		22	Virginia Cate & David Evans	NS Rt. 7 N of Joppa	14.724	14.724	R1	CI	LI	LI	LI
B036	10-11-96	ARE	01019554	562C		60	Caddie Homas (Haron Dohm)	W S Rt 24 Emmorton	48.045 (R3, R4, B3)	46.545	R4 & B3	B3	R4 & B3	R4 & R3	R4
B037	10-11-96	F	03052591	553D		171	William & Catherine McAllister	1813 Belair Rd S of Benson	22.33 (AG, CI)	21	AG	CI	AG	AG	B2
B038	10-11-96	F	04082052	391D		38	Morning Brook LLC (Michael Zullo)	1751 Morse Rd. E of Putnam	122.2	122.2	AG	RR	AG	AG & RR (74.5)	RR
B039	10-11-96	F	04005201	391D		208	Morning Brook LLC (Michael Zullo)	Morse Rd. E of Putnam	30	30	AG	RR	AG	AG	RR
B040	10-11-96	F	03063917	483D		68	Profil, Inc. (Virgil Profil)	ES Waterville Rd. N of Fallston	114.377	114.377	AG	RR	AG	AG	RR & AG
B041	10-11-96	JJ	01027018	653B		443	701 Pulaski Gn Pks. (Mervyn Thompson)	E S Oak Avenue	300 X 550	300 X 550	R1	B3	R1	R1	R1
B042	10-11-96	JJ	01027026	653B		434	701 Pulaski Gn Pks. (Mervyn Thompson)	E S Oak Avenue	300 X 550	300 X 550	R1	B3	R1	R1	R1
B043	10-11-96	ARE	01188062	563E		565, lot 1	David S. Eng	2512 Laurel Bush Road	1.25	1.25	R1	R3	R1	R1	R1
B044	10-11-96	ARE	01188054	563E		565, lot 2	David S. Eng	2510 Laurel Bush Road	.50	.50	R1	R3	R1	R1	R1
B045	10-11-96	F	03174352	554C		420	Lonnie Carter	3000 Bel Air Rd	5.009	5.009	AG	B3	AG	AG	AG
B046	10-11-96	F	03032248	541E		11	Helen Breeden	1614 Laurel Brook Rd Fallston	47.8	47.8	AG	RR	AG	RR	AG
B047	10-11-96	F	03059936	481A		4	Fallston Vally Farms (Joseph Diaper)	1415 Ryan Rd Fallston	139.3	139.3	AG	RR	AG	RR	RR
B048	10-11-96	F	03033643	541E		12	Est. of Charles L. Canady	1600 Laurel Brook Rd	57.497	57.497	AG	RR	AG	RR	RR
B049	10-11-96	F	03055477	482B		6	Harry & Ann O'Neill	1800 Angleside Rd Fallston	50.95	50.95	AG	RR	AG	RR	RR
B050	10-11-96	BF	03273423	404D		55	Colgate Investments (Howard Klaln)	1701 Grafton Shop Rd	161.477	161.477	AG	RR	AG	RR	RR
B051	10-11-96	F	03049671	474E		224	Cornelia Lacoste	1717 Laurel Brook Rd	29	29	AG	RR	AG	RR	AG
B052	10-11-96	F	03052222	541F		16	Milton & Helen Martin, Angela Maita	2700 Laurel Brook Rd	172.22	58	AG	RR	RR	RR	RR
B053	10-11-96	F	04079140	392A		135	George & Susan Thoupas	2226 Rutledge Rd	16.484	16.484	AG	RR	AG	AG	AG
B054	10-14-96	ARE	01030418	611F		32	Vernon R. Patton	3029-31 Abingdon Rd	.96	.96	R2	B3	R2	R2	R2
B055	10-14-96	F	04004469	383F		81	Hazel Bayne & Joanne Bayne Trotter	2352 Engle Rd Fallston	30.51	30.51	AG	RR	AG	AG	AG
B056	10-14-96	JJ	01005790	613A		495	T.C. Simon (Robert Cooper)	2216-2218 Old Mountain Rd	1.651	1.651	AG	CI	AG	AG	AG

